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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 10-0495 JF
	)	
Plaintiff,	)	
	)	STIPULATION AND ORDER
v.	)	DOCUMENTING EXCLUSION OF TIME
	)	
SHAWN HOGAN,	)	
	)	
Defendant.	)	

With the agreement of the parties in open court on July 22, 2010, and with the consent of the defendant Shawn Hogan (“defendant”), the Court enters this order (1) setting a hearing before the Honorable Jeremy Fogel on September 9, 2010, at 9:00 a.m.; and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from July 22, 2010, to September 9, 2010. The Court finds and holds as follows:

1. The defendant appeared before the Court on July 22, 2010 for identification of counsel and arraignment. At the appearance on July 22, 2010, the Court scheduled the defendant’s first appearance before the assigned district court judge, the Honorable Jeremy Fogel, for September 9, 2010 at 9:00 a.m.

2. At the hearing on July 22, 2010, government counsel stated that the government would be producing a large amount of discovery to the defense in advance of the September 9,

STIP. & [PROPOSED] ORDER DOCUMENTING  
EXCLUSION OF TIME [CR 10-0495 JF]

2010 hearing. Counsel for the defendant will need time to review the discovery that will be produced and to investigate the case. Continuing the defendant's appearances until September 9, 2010 will give the defense an opportunity to accomplish this objective.

3. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until September 9, 2010 is necessary for effective preparation of defense counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from July 22, 2010 to September 9, 2010 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

4. Accordingly, and with the consent of the defendant, the Court (1) sets a hearing on September 9, 2010, at 9:00 a.m. before the Honorable Jeremy Fogel; and (2) orders that the period from July 22, 2010 to September 9, 2010 be excluded from Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

SO STIPULATED.

DATED: August 4, 2010

JOSEPH P. RUSSONIELLO  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
KYLE F. WALDINGER  
Assistant United States Attorney

DATED: August 4, 2010

\_\_\_\_\_/s/\_\_\_\_\_  
WILLIAM J. KEANE  
Attorney for defendant Shawn Hogan

IT IS SO ORDERED.

DATED: August \_ 5\_, 2010

  
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PATRICIA V. TRUMBULL  
United States Magistrate Judge